

ties for future use. The planners and builders of the exhibition can be complimented on their initiative and organizing abilities. (Adv.)

Social & Personal

The President, Mr. David Ben-Gurion, on Friday received the editor of the Buenos Aires newspaper, "Der Spiegel," and Mrs. L. Gussman. On Thursday, the President received the Secretary of the Histadrut Political Department, Mr. Reuben Barkat. The President also received Mr. Anshel Reiss prior to his departure on a Mapai mission abroad.

The Hailing cultural and economic delegation now touring Israel on Saturday visited the Hailan Hospital accompanied by Dr. Y. Shafat, Director of the Hospital.

The Mayor of Hilversum, Holland, Mr. J.J. Baas, on Friday visited the Ramat Gan branch of the Van der Horst Chromo Plating Company, an international concern which has its head office in Hilversum.

A reception was given for Zino Francescatti, the violinist, and Alfred Wallenstein, the conductor, by the Rubin Academy of Music, Jerusalem, after the first I.P.O. subscription concert of the season on Thursday night.

Visitors to the Hebrew University on Friday included Dr. and Mrs. M. J. Shapiro and Mr. and Mrs. M. J. Treiman, of Los Angeles, and Mr. and Mrs. Charles Promisio, of Philadelphia.

An exhibition covering U.N. activities throughout the world will be opened at Z.O.A. House on Monday afternoon at 5 p.m. on Sunday (today) in the Mazar Building of the Hebrew University of Jerusalem under the auspices of the Israel Geological Society.

Dr. C. Teichert, of the U.S. Geological Service, will lecture on "Recent and Recent" at 8 p.m. on Sunday (today) in the Mazar Building of the Hebrew University of Jerusalem under the auspices of the Israel Geological Society.

The Inner Wheel Club of Tel Aviv-Jaffa is arranging to Mossad Abraham Jaffa, at 10:30 a.m. tomorrow (October 20), with the participation of ladies of USOM officials. All Rotary-Annas are cordially invited.

Haifa Police On Top of Crime

By YACOV FRIEDLER, Jerusalem Post Reporter

HAIFA. The local police have gained the upper hand in their fight against the town's underworld. The number of criminal offences committed in the city has dropped sharply over the past months. Now the police daily blotter has become a record of amateur crimes such as burglaries involving only a few pounds, most of them certainly committed by tyros and juveniles.

The constables feel that credit for the satisfactory state of affairs must go first to the efficiency of the force, especially the CID. The capture of several big-time criminals some months ago has caused a noticeable dropping of morale in the underworld, a number of whose members are known to have given up the town as a bad job. They have moved to Tel Aviv whose greater size holds out promise of better pickings.

But some criminals from the big city occasionally do venture to Haifa to try their luck. When this happens, the local boys, anxious to protect what little interest they have left, often inform the police. This gives the constables a chance to drop a hint to the newcomers that their presence is superfluous and the hint is usually taken. But recently the police did catch two big-time Tel Aviv burglars "going home" to Haifa. Their capture disheartened other Tel Aviv criminals who had been thinking of coming north, and they gave up their travel plans.

Thanks to their success, and the resulting drop in professional crime, the police now have more time to concentrate on the new cases that do occur. This has greatly improved detection and, in turn, acts as an additional deterrent. "It's a vicious circle," one police officer explained, "but this time it works in our favour."

ACRE FAMILY GOES TO JORDAN

NAHARIYA. An Acre family left Israel for Jordan last week, crossing the border near the Triangle on foot.

Rajab Raduan rented a car for a few days, drove his wife and two children to the border, parked the car on this side and crossed the line. The car was picked up later by the owners residents of Irbid.

The Israel National OPERA

Opera House, Tel Aviv, Air-conditioned.

Today, Oct. 19, Special Youth Performance FESTIVAL BALLET.

Tonorrow, Mon. Oct. 20, Festival Ballet.

Wednesday, Oct. 21, Festival Ballet.

Thursday, Oct. 22, Festival Ballet.

Friday, Oct. 23, Festival Ballet.

Saturday, Oct. 24, Festival Ballet.

Sunday, Oct. 25, Festival Ballet.

Tickets at the box office (10-1, 4-7) Tel. 5770.

LEGALITY OF MALINKI'S ORDER

LAW REPORT

The Jerusalem Post, October 19, 1958

In The District Military Tribunal in Jerusalem Before Aluf-Mishne Benyamim Halevi, Spn-Aluf Yitzhak Dvora and Rot-Seren Yehuda Cohen.

The Military Prosecutor, Y. Rav-Seren Shmuel Malinki & Others (M.M. 3/57).

No Legal Justification for Kafr Kasim Massacre.

Continuation of Judgment from Law Report of October 16.

A special Military Tribunal, sitting in an Army camp in Jerusalem, found eight officers and men of the Border Patrol guilty of murder and acquitted three of the accused.

The panel, headed by Aluf-Mishne Benyamim Halevi, found that a person in the Border Patrol was accused of the premeditated murder of 45 innocent and defenceless Arab women and children of the Arab village of Kafr Kasim on October 29, 1956, the eve of the Sini campaign.

Turning to the question of whether Malinki's order was legal since it was not illegal then he could not be found guilty of murder, the Tribunal held that it was not only illegal according to general principles of law—which lay down that a person in authority may use only such force as is reasonably necessary in order to prevent the infringement of the law and may use arms only in a very limited number of cases—it was also illegal in accordance with the Defence (Emergency) Regulations, 1945, which provide that, in order to enforce a law, only such force may be used as is reasonably necessary (Regulation 124).

Not that it was at all certain that the law was not imposed in accordance with Regulation 124, the Tribunal continued, and it was doubtful whether its imposition had been legal at all since it had been imposed by Aluf-Mishne Shadmi and not by the Military Governor of the area, as is required by the Defence Regulations.

At a meeting of officers, the Tribunal continued, the Regulations were complied with. It was not surprising therefore that a sui generis curfew imposed by an Army officer in accordance with his own lights and without any reference to law, should have been accompanied by such instructions to use force of arms as were repugnant to any existing law.

However, the question of whether the curfew itself was legal was irrelevant to the question of the legality of Malinki's orders, as the prosecution had most fairly ignored it, charging Malinki with having given illegal orders as to how the curfew should be carried out on the presumption that its imposition had been legal.

The Tribunal, however, to make one point clear, the Tribunal continued, and that was that the question of the legality or otherwise of Malinki's orders to shoot to kill at curfew-breakers had no connection whatsoever with whether the curfew had been imposed in accordance with some general authority during conditions of war, with which Aluf-Mishne Shadmi laid claim. For the lives of human beings may never be treated irresponsibly, and the protection of the curfew was extended to everyone—whether a citizen of the state or a ward of the state, and whether within the borders of the State or in occupied territory.

Casual Relationship Between Orders and Massacre.

The Tribunal next considered the question of whether the slaughter of the innocent villagers of Kafr Kasim was connected with Malinki's orders, pointing out that the answer would appear to be obviously in the affirmative on the basis of the facts of the case only, but that the question of casual relationship was not quite so simple from a legal viewpoint.

They then went on to consider the whole question of investigation in its various ramifications, referring at length to Mr. Levitzky's arguments and relying on a writer of cases and authorities concluding eventually that the relevant rule is that a person is guilty of counselling another to commit an offence (and may therefore be charged with the same offence) when the offence actually committed is of the same nature as that counselled, and is a probable consequence of the counsel, it being immaterial whether the offence actually committed was exactly the same as that counselled, or whether it was committed in the manner counselled, or whether it was committed in violation of the Criminal Code Ordinance.

The three questions to be answered, therefore, the Tribunal continued, are whether the criminal acts perpetrated by Dehan, Ofer and his subordinates were aimed at carrying out Malinki's orders, whether they were of a similar nature to those acts which Malinki had ordered them to perform and whether the massacre at Kafr Kasim was a probable consequence of obedience to Malinki's order. In answering all three questions in the affirmative, the Tribunal held that there was no doubt whatsoever that Dehan and Ofer had acted arbitrarily and on their own initiative, but that they had acted directly and indirectly on Malinki's orders; that the nature of their crimes was similar to that ordered by Malinki; and that the cruel

and cold-blooded way in which the killings had been perpetrated had constituted a deviation in manner, the method having been calculated by the perpetrators to be more effective; but that the killings had, nevertheless, most certainly been a direct and probable consequence of Malinki's order to shoot to kill at all curfew-breakers without any discrimination and without mercy.

The Tribunal having established that Malinki had given an illegal order to murder, (i.e., having established the *actus reus*), then went on to consider whether he had done so with intent, as the element of *mens rea* is required before a murder charge may be preferred. It may be presumed, they said, that a person who gives an order exactly what he means and means exactly what he says, although this presumption is always open to rebuttal, Malinki had in fact attempted to persuade the Tribunal that he had not intended ordering indiscriminate killing of all persons found out of doors after curfew hours, but he had not succeeded in satisfying them as to the facts and evidence pointed to the contrary.

Chance to Clarify.

In particular, Malinki had been given an opportunity of correcting any wrong impression he might have made on his officers when he was specifically asked by Segal, Menashe about the women, children and villagers returning late from work, and instead of using this opportunity to advance his case, he had deliberately used it to emphasize that there was to be no sentiment and no favourable discrimination. Furthermore, his second-in-command, Alexander, had pointed out to him the inevitable consequences of his order and he had not thereupon recalled his officers and restated them, but had justified himself by pointing out the grounds that those were the orders he had received from Shadmi.

Nor had he, later in the day, at a meeting of officers, made any attempt to correct the Shadmi's brigade taking the matter further with Shadmi in order to reassure himself that he had correctly understood the latter's instructions with regard to the returning villagers (since he, himself, had never accused Shadmi of having instructed him to shoot down women and children too).

In short, the Tribunal held, it was clear that Malinki had meant exactly what he said in his orders. As to whether this general intention sufficed to provide the *mens rea* required in a murder charge was a different question, in view of the rule laid down by the Supreme Court that an accessory must intend the actual crime perpetrated by the principal offender and not merely intend that the principal offender should commit a crime.

When both orders are read together the following rules emerge:

A soldier must obey an order as he is superior, and is not personally responsible for the consequences of his obedience, unless the order is manifestly unlawful. When, however, an order is manifestly unlawful, then a soldier is bound to disobey it, and will not be held responsible for the consequences.

The reservations contained in section 125 and in section 19 of the Criminal Code, Tribunal pointed out, are essential for the preservation of the law, for in their absence a soldier would be compelled to obey the orders of his superior even if those orders were contrary to the provisions of the criminal law of the country, thus rendering the latter to a dead letter. For this reason, the Tribunal continued, there is no doubt whatever that even if an unlawful order is received from an officer of the highest possible rank, obedience to it cannot serve as automatic justification under section 19 of the Criminal Code.

The only effect which the rank of the officer giving the unlawful order might have is that of blurring the illegality in the eyes of the receiving it, and thus making it less manifest; but whatever it would remain, whatever the status of the person giving it.

(To be Continued)

9 a.m. Book for this tour by phoning to Jerusalem Club, Straus Health Centre.

• Film Shows:—
Tel Aviv Film daily, 11:30 Keren Ha'edut.

Where to go

• Meet the Israeli:—
Tourists invited to meet Israeli at Home Information at Government Office, Jerusalem, Tel Aviv, Haifa.

• Exhibitions:—
Jerusalem: Biblical Zoo, 9-4.
Jerusalem: New Exhibitions: 20 Years of the Jewish People, 10-1, 4-4.
Jerusalem: New Exhibitions: 20 Years of the Jewish People, 10-1, 4-4.
Jerusalem: New Exhibitions: 20 Years of the Jewish People, 10-1, 4-4.

1) Permanent exhibition of Jewish Cultural Art, 10-1, 4-4.
2) Forgotten Printmakers, 10-1, 4-4.
3) Ancient pottery, glass and textiles of various civilizations, 10-1, 4-4.
4) Samples of Primitive Sculpture, 10-1, 4-4.
5) Jewish Cultural Art, 10-1, 4-4.

Jerusalem Artists'—Autumn Exhibition, Artists House, 10-1, 4-4.
Home Museum—Davidson Exhibition of artists' creations of wood and shell, Alona Artel, Paintings, Nora Art Gallery, 9-10, 4-4.
• Tours:—
Hebrew University conducted tour in English, daily at 10 a.m. New Jerusalem Club, Every Tuesday leaving Administration Building, 11 a.m. visit to Hebrew University—Hebrew Medical School in Elia Karmel, Pines (until Monday) 9:30 for tour.
Spent a morning with Hadassah on a conducted tour starting at

Hora Snapped For Hokey Pokey

The Jerusalem Post Reporter

TEL AVIV. — A new kind of "cultural" exchange took place here on Tuesday evening when the second group of social workers and youth leaders from England who are here as guests of the Jewish Agency recently met members of the local Near Eastern club.

The British visitors traded the Hokey Pokey and a dance version of Auld Lang Syne, plus a selection of folk songs, for the Hora and Israeli songs.

The group, which is led by Mrs. Barnett Janer, consists of a first time visitors to Israel. They are making an intensive study of youth movements here and are very impressed by Israeli methods of youth training and recreation.

Mrs. Janer told The Jerusalem Post that the results of the first visit which she made here in May last year were beyond expectation. The group had previously had no contact with Zionism, and she said that they had been very much impressed by the fact that they had found a "strong and ruthless hand" in the instructions he had received from Aluf-Mishne Shadmi, who, in giving such instructions, had deliberately gone counter to the policy laid down by his superiors.

That "the shoot to kill and return the villagers" had undoubtedly come from Shadmi; that there was a reasonable doubt in Malinki's favour that the order to shoot returning villagers had been issued by Shadmi; but that the order to show no sentiment towards women and children had been issued by Malinki's own initiative, without any directive whatsoever from Shadmi.

DEFENCE. — More than 50,000 Japanese soldiers, tanks and artillery regiments, paratroops and sea defence units, have begun week-long exercises.

ON THE AIR

FIRST PROGRAMME
5:22, 5:23, 5:24, 5:25, 5:26, 5:27, 5:28, 5:29, 5:30, 5:31, 5:32, 5:33, 5:34, 5:35, 5:36, 5:37, 5:38, 5:39, 5:40, 5:41, 5:42, 5:43, 5:44, 5:45, 5:46, 5:47, 5:48, 5:49, 5:50, 5:51, 5:52, 5:53, 5:54, 5:55, 5:56, 5:57, 5:58, 5:59, 6:00, 6:01, 6:02, 6:03, 6:04, 6:05, 6:06, 6:07, 6:08, 6:09, 6:10, 6:11, 6:12, 6:13, 6:14, 6:15, 6:16, 6:17, 6:18, 6:19, 6:20, 6:21, 6:22, 6:23, 6:24, 6:25, 6:26, 6:27, 6:28, 6:29, 6:30, 6:31, 6:32, 6:33, 6:34, 6:35, 6:36, 6:37, 6:38, 6:39, 6:40, 6:41, 6:42, 6:43, 6:44, 6:45, 6:46, 6:47, 6:48, 6:49, 6:50, 6:51, 6:52, 6:53, 6:54, 6:55, 6:56, 6:57, 6:58, 6:59, 7:00, 7:01, 7:02, 7:03, 7:04, 7:05, 7:06, 7:07, 7:08, 7:09, 7:10, 7:11, 7:12, 7:13, 7:14, 7:15, 7:16, 7:17, 7:18, 7:19, 7:20, 7:21, 7:22, 7:23, 7:24, 7:25, 7:26, 7:27, 7:28, 7:29, 7:30, 7:31, 7:32, 7:33, 7:34, 7:35, 7:36, 7:37, 7:38, 7:39, 7:40, 7:41, 7:42, 7:43, 7:44, 7:45, 7:46, 7:47, 7:48, 7:49, 7:50, 7:51, 7:52, 7:53, 7:54, 7:55, 7:56, 7:57, 7:58, 7:59, 8:00, 8:01, 8:02, 8:03, 8:04, 8:05, 8:06, 8:07, 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Cables in Brief

years to life for second degree murder in New York after his own lawyer had asked the Judge to give him "a most severe term." He had robbed and murdered a 65-year-old man in a Brooklyn park.

COUNTERTFEIT. — A gag of 12 counterfeits known as "the Magicians of Blask" are to be tried in Warsaw on a charge of transforming \$1 American coins into 33 coins.

**The French Foreign
Ministry
Baruch Gillon,
Impresario**
take pleasure in presenting
**LES BALLETS
JEAN BABILLEE**

TEL AVIV: "Ohel Shalom"
from Oct. 19 to Oct. 23
**DAILY, FOR 10 DAYS
ONLY**
Mat. perfs. at 4 p.m.
on Tuesday October 21;
Wednesday October 22
HOLON: "Armon," Friday
October 24
JERUSALEM: "Edison"
Wed. Oct. 29, at 9 p.m.
Thursday, Oct. 30 at 4 &
NATANYA: "Sharon,"
Sun. Nov. 2, at 9 p.m.
HERZLIYA: "Tiferet,"
Monday, November 3

HAIFA: "Orah."
Tues. Nov. 4, at 9 p.m.
HAIFA: "Orah."
Wed. Nov. 5, at 9 p.m.
HAIFA: "Orah."
Thurs. Nov. 6 at 4 & 9 p.m.
Perfs. begin at 8.30 p.m.

AL CONCERT
with
ncescatti
ED WALLENSTEIN
TURDAY, OCT. 25
atorium, at 8.30 p.m.
Orchestra by BEETHOVEN
y P. BEN-HAIM
Orchestra by BRAHMS
TODAY, OCT. 19, at Mana
Rehov Huberman), 9-1.

to I.P.O.A. members only.
as per Reduction Voucher
cert No. 1".

ADRIATICA

OTRIA

on October 21, 1955

SSAPIA
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Sunday, October 20, 1958
 6 Sheqels, 6719 5 Haba'at, 1958

THE Jews of the United States are no doubt concerned, but at the same time they appear to be perfectly calm. **NO CASE** about the bombing of **FOR PANIC** two synagogues there and the threats which have been heard of further outrages. Of a different nature, however, has been the reaction in many Israeli circles and especially in the newspapers here.

In America, President Eisenhower has issued a clear and unequivocal directive to the Federal Bureau of Investigation to spare no pains to get to the root of the matter. Press reports about the suspects so far arrested suggest that the responsibility for the dynamiting lies in a lunatic fringe of anti-Semitic, anti-Negro, residual fascist or Nazi elements, which may be locally contrived or organized by some central group. The fact is that no one in America regards them as indicating any serious change in the mentality of the people, nor as a shift in democratic principles, nor as a symptom of any deep malaise. Moreover, some churches, too, have been threatened, and any appraisal of the situation must take this into account.

In Israel the reaction has been in some respects surprising; in others, it was only to be expected. For a long time there has been a tendency here to ignore the truth about the nature of the American Jewish community because it does not jibe with Zionist theories which have not been revised since the Basle programme. One of the favorite aspects of such theory has been that only a sense of panic and fear will bring about an emigration to Israel of Jews from comfortable Western lands, and moreover that such an eventuality is inevitable.

The interesting aspect about this reaction here is the meeting of extremes which has taken place. Organs of parties at opposite ends of the political spectrum seem to be agreed that the galut remains galut and so forth. And now the large popular daily, "Ma'ariv," has jumped on the popular bandwagon of this antiquated theory. A cartoon by Dosh appeared in that paper on Friday showing a battered U.S. Jewry being directed by little Israel up the steps to the clinic of Dr. Israel. (The drawing is not published in this issue of The Post, contrary to our usual arrangement.)

Now there are certain facts about U.S. Jewry which its responsible leaders have been trying to tell us here for years. The first is that American Jews will not be panicked into immigration to Israel. Secondly, they firmly believe that if ever conditions did arise to cause panic among U.S. Jewry, then Israel, too, if not all democracy, would be lost for the world would then be in a sorry state indeed. Therefore they feel they have the duty to fight for their liberties and equality on the spot in the U.S., not just for themselves, but for Israel as well and for democracy as a whole.

Those who have studied the nature of American Jewry at close quarters have been struck by the great element of idealism which enters into their citizenship of the U.S. They believe in American democracy and are always ready to fight for the preservation and strengthening of its ideals.

The third fact about American Jewry is that it looks upon its relationship with Israel as that of an equal partnership in a great endeavor of jointly preserving the Jewish people in their own country in the form of a nation and in America in the form of a Diaspora inspired by Jewish ideals and moulded by forms of Jewish conduct. There is little room in such a partnership for "escape immigration" from the United States, but there is every possibility of encouraging positive immigration — that is of those who seek the personal fulfillment of the Zionist ideal.

The present reaction in Israel to the synagogue bombings can only give comfort and encouragement to the anti-Semites who perpetrated them, while deeply humiliating American Jewry by completely misunderstanding the nature of its position.

College of Cardinals to Elect New Pope Soon Non-Italians Also Papal Candidates

By a Special Correspondent

ROME (OFNS). —

It would almost seem that death would overtake him outside the Vatican City. In 1946 he modified the procedure regulating Papal elections — reformed by Pius X in 1904 — and decreed that should the Pope die outside the Vatican Palace, his body must be transported to Saint Peter's, with the Conclave of Cardinals to elect a successor being held in the Vatican and not, as tradition previously established, in the place where the Pope died. Pius XII also decreed that the Conclave must take place not less than 15 or more than 18 days after the Pope's death. This was to give time, but not too much time, to the Cardinals in various countries to reach Rome.

On the death of Pope Pius XII no regency existed to take over the government of the Church during the interregnum. The office which carries this prerogative was vacant. Normally on a Pope's death, the Apostolic Chamberlain represents the Holy See, seals the papers of the dead Pontiff, and assumes the administration of the goods and temporal rights of the Church. But for years Pius XII failed to name a successor to the last Chamberlain, while in the whole course of his pontificate he never appointed a Secretary of State. The 15 Cardinals now in Rome have solved these problems by electing Cardinal Masella, Chamberlain, and Monsignor Alberto di Jodio, temporary Secretary of State.

Cardinals' Right

The Cardinals alone have the right to elect a Pope. To do so they are united in a Conclave, so-called because during the whole period of the election, the Cardinals are locked in the Apostolic Palace and may have no communication with the outside world. The election may occur in three ways: by acclamation, should the Holy Spirit inspire all the Cardinals to elect one without previous consultation between them, to name the same man; by delegation, should Cardinals unanimously decide to leave the choice to a committee of three, five or seven Cardinals; by written, secret ballot, which is the normal procedure.

Under the 1946 reform, the successful candidate must poll a majority of two-thirds plus one of the votes cast by all the Cardinals present. The Cardinals are sworn to secrecy and advised to disguise their writing so that the ballot papers cannot be identified. At each unsuccessful ballot the papers are burnt together with damp shavings to produce the traditional "black smoke." White smoke — the famous "fumata bianca" — announces the election of a Pope.

In 1939 the election of Pope Pius XII took place on the third ballot within less than 24 hours of the opening of the Conclave. Eugenio Pacelli was elected unanimously after polling a majority in the first and second counts.

MUSICAL DIARY

Francescatti Plays

Israel Philharmonic Orchestra, First Subscription Concert, Alfred Wallenstein, conductor; (Main Auditorium, October 14): Handel: Concerto Grosso in D Minor (op. 6); Mozart: Violin Concerto in D Major (K. 218); Hindemith: "Nacht der Paläste" Symphony; Viennese: Violin Concerto in D Minor.

THE build-up of the above programme, which seemed interesting on paper, proved in practice rather pale. Besides the fact that three out of the four works were in D, the main reason for the shortcoming was the closing work. Though Mr. Francescatti put into his admirable musicianship and transcendent technique, the work proved hollow, to put it mildly.

However, we were compensated by Mr. Francescatti's performance of the Mozart Concerto. Here no superlatives could thoroughly express the full enjoyment that the violinist bestowed on the listeners.

Mr. Wallenstein is a router for excellence. Every work he conducts is tightly kept together so that hardly any criticism can be made of the technical adequacy of his performances. But one exception more from the Handel Concerto Grosso, which was given an uninspired rendition, and from the Hindemith Symphony which, in a more elated interpretation, always makes a tremendous impression. On the other hand, Mr. Wallenstein gave

solid support in accompanying the two solo concertos.

In spite of what has been done, the problem of the hall's acoustics has not yet been entirely solved. The various instruments could not blend at all and at a tutti only the brass are audible. Further research is indispensable. **AVIDOM**

Radio Concert

The Kol Yisrael Orchestra, George Singer, conductor; Edna Mischel, violin (Y.M.C.A. Jerusalem, October 14): Country Dances from Israel; Mozart: Violin Concerto in A Major; Schubert: Symphony in C ("The Great").

LAUREY'S "Country Dances" were given a lively if not always too accurate performance. The orchestra was not too clear about tempi at times, which, after three rehearsals, seems reasonable. But George Singer put all his temperament into the reading, and on the whole the playing did full justice to the descriptive miniatures of the suite.

Edna Mischel, the soloist in the Mozart concerto, is not yet ready for public performance with an orchestra. Even stage-right could not excuse her disappointing performance. The tempi were insecure throughout, and only such a good accompaniment as Singer could hold things together. All breathing between phrases was overrun, and no serious attempt at interpretation could be detected. The tone was diminutive despite the Italian instrument in the perform-

His emotion at the third count was such that he fainted and fell full length on the floor of the Sistine Chapel where the voting takes place.

It is unlikely that such quick results will be obtained in the forthcoming election. The College of Cardinals has dropped from its full strength of 70 to only 55 members, one of whom, Cardinal Jose Maria Caro Rodriguez, Archbishop of Santiago de Chile, is over 80. Twelve other Cardinals are over 80 and several of them are in poor health. The Italian form a "pressure group" of 18 Cardinals and a "Latin lobby" of 42 exists on paper but has no consistency in fact.

Much depends on whether Monsignor Giambattista Montini, Archbishop of Milan and former Pro-Secretary of State, has been named a Cardinal "in pectore." During the Pope's illness in December, 1954, it was rumored that Pope Pius XII had signed and sealed this appointment to be opened on his death. If the Papal Bull is found to exist among the Apostolic papers, Montini will automatically become a Cardinal with full rights in which case his chances of succeeding to the Papacy are considerable. As acting Secretary of State, Archbishop Montini, who is a little over 50, had many contacts with the non-Italian Cardinals (Eugenio Pacelli being his election had been for many years Cardinal Secretary of State).

Montini's Removal

Montini's removal from the Curia to the Archbishopric of Milan caused a great deal of speculation at the time (April 1955). Rightly or wrongly he was credited with holding "progressive" views of favouring an elastic policy for the Church in the Communist countries and of sympathizing with the neo-modernist trends of the French clergy. His removal from Rome was attributed to pressure from Cardinal Spellman, Archbishop of New York. Today Archbishop Montini is a less controversial figure than he was a few years ago, but it is certain that his election would imply a significant change in the policy and tactics of the Church.

Another possible candidate is Cardinal Gregoire Pierre Agagianian, a 62-year-old Armenian prelate, who has been very active in conducting Church policy in the Middle East. This missionary field is the object of special attention from the Curia at present and Agagianian's prospects are closely connected with the development of the Church's policy in this area. His election would be a very remarkable break with tradition and could not fail to have immense political repercussions outside the Catholic world.

A more conventional candidate is Cardinal Giuseppe Siri, the 52-year-old Archbishop of Genoa. He is the "Dauphin" of the "Big Five" in the Vatican (Cardinals Marcara, Mimmi, Ottaviani, Pizzardo and Canali). His election would imply the continuation of the conservative policy pursued by the Five Cardinals.

NATURE NOTES

WINGED PIRATE

WATCHING the common terns (*Sterna Hirundo*) — *Sterna* (*Hirundo*) of their island near Meagan Michael, last month, we saw a large, dark bird with a forked tail pursue a tern which had just successfully caught a fish. The robber swooped after the little tern, skillfully executing every manoeuvre of the superb flyer just behind him. Driven to the end of his strength, the little victim gave up, disgorging his prey. The pirate seized it, swallowed it, and settled down on the water with two others of the tribe, watching until another prize should be

er's possession. Since she played from the score, the orchestra leader repeatedly had to stop playing in order to turn the pages for her. The way she shortened the cadenzas showed that even technically Miss Mischel is not yet at the stage where she can attempt a consummate performance in public. Does not Kol Yisrael audition the soloists for its orchestra concerts? Miss Mischel's first broadcast some months ago did not show talent of any consequence.

Schubert's great C-Major symphony was directed by George Singer with a gusto that may have disturbed the musicians more than it helped them. The performance was lively but crude and could not compare favourably with what the public has become accustomed to through first-class commercial recordings. However, the inclusion of well-known master-works may be justified by the balance both with regard to the programmes and to the musicians themselves, who would otherwise be restricted to modern or lesser-known classical works. **Y. BOHEM**

TIME

Newsweek

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Next Pope may be one of these four Cardinals — two Italian—who are among the candidates considered most likely to become the new Pope. Top row shows, left, the Archbishop of Bologna and the Archbishop of Genoa. Bottom row shows, left, Cardinal Tisserant, French-born Dean of the College of Cardinals, and Armenian-born Cardinal Agagianian.

was once considered a likely candidate, but the 67-year-old Archbishop of Bologna has lost credit following some unsuccessful initiatives in the sphere of local politics. Cardinals Roncalli and Ruffini have strong local influence respectively in Venetia and Sicily but this will not serve them greatly.

Spellman Ruled Out

Cardinal Spellman's candidature is ruled out in Rome as largely impossible on the grounds that the leadership of the Church could never be assigned to a former citizen of one of the great Power blocs.

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Secondary School Costs And Tax Exemptions

Editor, The Jerusalem Post
 Sir — I found the tax page presented by the Ministry of Finance in your supplement of October 3 very interesting and informative, but with one discussion in particular one point that was raised.

In reply to a letter, the Ministry states that expenses paid by a student's parents are not tax-exempt. This is extremely unfair and places an almost intolerable burden on many parents. Take my case, for instance. My two children aged 14½ and 16, respectively, are pupils at a secondary school. Here is a list of the expenses for one school year:

	Boy (class "Yod")	Girl (class "Tet")
School fees	300	275
Books, copy, etc.	40	40
Fares (to school)	67	67
Two school meals	40	40
One Khaki uniform and equipment	20	20
One sports outfit	5	5
Recreation	20	20
Total	492	467

That means that the cost for the two children is IL1,200 a year.

Last year, the boy got a IL500 scholarship and this year I hope for a bigger reduction for both of them. But it will still cost me IL700 to IL1,000 a year, or approximately IL50 a month to send my two children to secondary school.

I am only a wage-earner. I myself get a reduction on my fares to work my work clothes and work tools from my firm. But for my children, who do not earn anything, I have to pay for all of this. How can children aged 14 or 16 be expected to work and earn something after six hours of instruction daily and three to four hours of homework?

Why cannot parents get an income tax reduction for the secondary-school expenses of their children?

Yours, etc. **P. G. (Name and Address Supplied)**

Jerusalem, October 3.

TEACHERS' STRIKE

Editor, The Jerusalem Post
 Sir — There seems to be no end in view to the teachers' strike. Our children had plenty of rest during the summer and Succot holidays, and now, when instruction should be in full swing, they are turned out of school for an indefinite period.

I do not know whether the demands of the teachers are justified or not, so I cannot say whether I am for the attitude with regard to the mutual accusations and recriminations. All I want, as a father, is that lessons be resumed immediately. All parents should do their best to bring about an immediate stoppage of the strike. Caustic attitudes should be dropped and negotiations started without any delay. Questions of prestige should certainly not be fought out at the expense of our youth (or their parents).

Why should we parents bear all of our imminent increase in the school fees? The Ministry of Education has emphasized again and again how interested it is in the development of secondary education. It should certainly bear a fair share of the increase and not discriminate against the parents of pupils in secondary schools.

My own son has at least another three years to study with academically qualified teachers. Is there any doubt that they — and they alone — are the mainstay of our secondary education?

A speedy end to the strike is imperative and the Ministry of Education is duty bound to bring it about as quickly as possible.

Yours, etc. **J. GLASSER**

Jerusalem, October 14.

COTTON YIELDS

Editor, The Jerusalem Post
 Sir — May I ask if Yaacov Ardon is correct in stating (in his article of September 19) that the average yield per dunam of the cotton crop in the U.S. was 480 lbs. This being approximately 220 kg. and one acre nearly four dunams, the average cotton crop in the U.S. would have been about 85 kg. per dunam, i.e. only one-sixth the average yield in Israel.

"Time" magazine reports in its September 22 issue that due to better growing conditions, etc., the yield per acre in the U.S. was 480 lbs. This being approximately 220 kg. and one acre nearly four dunams, the average cotton crop in the U.S. would have been about 85 kg. per dunam, i.e. only one-sixth the average yield in Israel.

If your correspondent is right, cotton should be much cheaper in Israel and not more expensive.

Yours, etc. **MICHAEL K. BAHRE**

Haifa, September 20.

REPORTER REPLIES

Cotton yields here are about equal to those in the U.S. despite the short experience of our farmers. In comparing figures, one should be careful not to distinguish between the weight of raw cotton picked in the fields, that is, the weight of the cotton fibres derived from it. In other words, the weight of cotton either before or after ginning must be compared. Fibres from 30 to 40 per cent of the weight harvested, the percentage varying with the type of plant.

There is also a marked difference in yields on irrigated and unirrigated fields. A crop of 500 kg. of raw cotton per dunam on the Haifa fields is quite an exceptional achievement.

Yours, etc. **Y. A.**

Justice for Arab Citizen

THE Kafr Kasim verdict is just and the sentences are fair, writes Ha'arets (non-party) but adds, together with the judgment (General Zionists) that the failure to arraign Aluf-Mishne Shadmil (who issued the curfew order termed illegal by the court) was a most grievous error that may cause a great deal of confusion in Army ranks. Those who are responsible for our security will sooner or later have to issue permanent instructions that will have no room for doubt on how Army personnel is to regard orders.

The judgment is sealed, but not so the Kafr Kasim affair itself, which cannot be considered closed until all forms of chauvinism and contempt for human life are completely eradicated, notes Al Hanneh (Mapam). Hanneh (World Aguda) finds the judgment of top importance both externally — since it has removed from the State of Israel the grave stain of wanton murder — and at home since it should restore to the Arab citizen his feeling of security. It is clear that such a tragedy will not recur in Israel for years to come, since the shadow of the verdict will loom before any commander about to issue such an order and any subordinate about to carry it out.

The test of the Kafr Kasim affair lies in whether the responsible officer would have issued such an order in the case of a Jewish settlement, writes Davar (Histadrut). On the other hand, one must take into consideration the state of mind induced in our fighters by the *fedayeen* raids of the time. The moral is that we must constantly fight off the malady of hate and contempt for human life that penetrates into Israel from across the border.

Herut discusses the Zionist Council meeting and immigration.

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WINNER OF A FLAT



Mr. Haim Avraham (deaf mute) aged 24, married, of 11a Ha'Emek, is the winner of a 2½-room flat on the French Canal, Ramat Shaul, Haifa, in the special drawing, 7/1958, of the Housing Lottery of Mafal Hagapla.

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